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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/083,389      | 02/27/2002  | Georg Strobl         | 1928-0126P-SP       | 4755             |

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EXAMINER

LE, DANG D

ART UNIT PAPER NUMBER

2834

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/083,389

Applicant(s)

STROBL, GEORG

Examiner

Dang D Le

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 9-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-643)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because it contains the words "comprises" in lines 3, 6, 7 and 11. Correction is required. See MPEP § 608.01(b).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Strobl (5,679,996).

Regarding claim 1, Strobl shows a planar carbon segment commutator (Figure 16) comprising:

- A commutator base (1) of insulating material, the base having a rotational axis, front and rear surfaces (left and right), extending, at least in part, transversely to the rotational axis, and a plurality of first apertures extending through the base (for 5');
- A plurality of commutator terminals each of which comprises a terminal portion and a contact portion (5'), the contact portion of each terminal extending through a respective first aperture in the base and being bent to lie against or in close proximity to the front surface of the base and the terminal

- portion (12) of each terminal having a cutting edge (31) for cutting insulation on a connector portion of a winding (11) and a slot (27) which in use straddles and grips said connector portion (11); and
- A plurality of carbon segments (40) formed on the front surface of the base and over the contact portions, respectively, of the terminals.

Regarding claim 2, it is noted that Strobl also shows a housing (14) having a plurality of housing recesses for receiving the terminal portions (12), respectively, of the terminals.

Regarding claim 3, it is noted that Strobl also shows each housing recess having associated therewith means (nest to 11) for positioning connector portions of the winding (11) relative to each recess; the base, the terminals and the housing being such that with a single translational movement of the base relative to the housing, the terminal portions enter the housing recesses, the cutting edges strip insulation from connector portions of the winding and the slots establish and maintain electrical contact with connector portions of the winding by insulation displacement (Figure 16).

Regarding claim 4, it is noted that Strobl also shows the base having a cylindrical skirt (1) extending rearwardly of its rear surface for receiving the housing (14).

Regarding claim 12, it is noted that Strobl also shows the base having a central boss for receiving an armature shaft.

Regarding claim 13, it is noted that Strobl also shows the base having a central boss for receiving an armature shaft.

Regarding claim 14, it is noted that Strobl also shows the housing having a central boss coaxial with the boss of the base for receiving the armature shaft.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strobl ('996) in view of Strobl (5,386,167).

Regarding claim 5, Strobl '996 shows all of the limitations of the claimed invention except for the front surface of the base having therein a plurality of recesses and each contact portion overlies a respective recess and has at least one aperture through which material forming a respective commutator segment extends into the recess to assist in anchoring the segment to the terminal.

Strobl '167 shows the front surface of the base having therein a plurality of recesses (24) and each contact portion overlies a respective recess and has at least one aperture through which material forming a respective commutator segment extends into the recess to assist in anchoring the segment to the terminal (Figure 1) for the purpose of making a commutator disk.

Since Strobl '996 and Strobl '167 are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include in the front surface of the base a plurality of recesses and each contact portion overlies a respective recess and has at least one aperture through which material forming a respective commutator segment extends into the recess to assist in anchoring the segment to the terminal (Figure 1) as taught by Strobl '167 for the purpose discussed above.

Regarding claim 6, it is noted that Strobl '167 also shows the base having a plurality of second apertures (7) communicating with respective recesses and through which material forming the commutator segments extends to assist in anchoring the segments to the base (Figure 1).

Regarding claim 7, it is noted that Strobl '167 also shows the recesses being elongate and extend radially of the base.

Regarding claim 8, it is noted that Strobl '167 also shows the apertures (for 42) being radially aligned with and outwardly disposed of the recesses, respectively.

***Allowable Subject Matter***

6. Claims 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Information on How to Contact USPTO***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

Application/Control Number: 10/083,389  
Art Unit: 2834

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL  
December 19, 2002

DL

